



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 9, 2001

Rob Simmons
268 North Main Street
Stonington, CT 06378

Re: MUR 5113

Dear Mr. Simmons:

On October 19, 2000, the Federal Election Commission notified you, a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See enclosed narrative. Accordingly, the Commission closed its file in this matter on May 9, 2001.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Elizabeth F. Williams on our toll-free number. (800) 424-9530. Our local number is (202) 694-1650.

Sincerely,

Jeff Jordan

Supervisory Attorney

Central Enforcement Docket

Enclosure
Narrative

MUR 5113

AMERICAN LEGION DEPARTMENT OF CONNECTICUT

Michael E. Pohl alleged that the Connecticut Legionaire Newspaper printed an advertisement on behalf of Robert Simmons for Congress Committee (the "Committee") without the proper disclaimer. Mr. Pohl asserted that the American Legion Department of Connecticut not only violated FECA, but also its own charter, by failing to remain a non-partisan, non-political organization.

The Committee responded by attaching a letter from Kevin Rarey, president of Rare Reminder, Inc., who took full responsibility for a printing error.

This matter is less significant relative to other matters pending before the Commission and evidences no serious intent to violate the FECA.

21-04-405-0494